

Practitioner's Docket No. 55618

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: Scheffler et al.

Application No.: 0 9 /806,603

Group No. Not Yet Assigned

Filed: March 30, 2001

Examiner: Not Yet Assigned

For: CIRCUIT FOR FRAME RATE CONVERSION

RECEIVED

RECEIVED

MAY 25 2001

OFFICE OF PETITIONS

☐ Patent No.*: _____

Issue date: _____

05 JUL 2001

Legal Staff
International Division

**NOTE: Preferably also insert inventor's name and invention title.*

Assistant Commissioner for Patents
Washington, D.C. 20231

**PETITION TO CORRECT CORRESPONDENCE FILING DATE
FOR "DATE-IN" INCORRECTLY ENTERED OR OMITTED
ON EXPRESS MAIL LABEL
(37 C.F.R. § 1.10(d))**

NOTE: See § 513, M.P.E.P., 7th Edition.

1. This is a petition to accord the correspondence in the above-identified

☒ application

☐ patent

a filing date of 03/30/01, which is the date the correspondence was deposited
Date

with the U.S.P.S. with proper postage.

2. Submitted herewith is the statement of Peter F. Corless as to
when the discrepancy was discovered and establishing that this petition is being filed
promptly thereafter. 37 C.F.R. § 1.10(d)(1).

3. Attached is a true copy of the first page of the correspondence which was filed, showing
both the date on which this correspondence was mailed as Express Mail Label No.
EL835032473US and that the number of the Express Mail was placed thereon prior to
the original mailing. 37 C.F.R. § 1.10(d)(2).

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal
Service with sufficient postage as first class
mail in an envelope addressed to the
Commissioner of Patents and
Trademarks, Washington, D.C. 20231.

Date: _____

FACSIMILE

☐ transmitted by facsimile to the
Patent and Trademark Office, (703) _____

Signature _____

(type or print name of person certifying)

(Petition to Accord Correspondence Filing Date For "Date-in" Incorrectly Entered or Omitted on Express Mail
Label—[8-14]—page 1 of 3)

4. Correction is required because:

- ☐ the wrong "Date-In" was entered by the U.S.P.S. on the envelope delivered to the P.T.O., but the correct date was entered on Express Mail label.
- ☒ the wrong "Date-In" was entered by the U.S.P.S. on the original "Express Mail" label and on the envelope delivered to the P.T.O.
- ☐ Deposit of correspondence at an Express Mail drop box and wrong date entered by U.S.P.S.
- ☐ Other:

5. The following establish the showing required by 37 C.F.R. § 1.10(d)(3):

NOTE: Evidence that came into being within one day after the deposit of the correspondence as "Express Mail" may be in the form of a log book which contains information such as the "Express Mail" number; the application number, attorney docket number or other such file identification number; the place, date and time of deposit; the time of the last scheduled pick-up for that date and place of deposit; the depositor's initials or signature; and the date and time of entry in the log. A notation in a log book, entered after deposit by the person who deposited the correspondence as "Express Mail" within one business day of such deposit, setting forth the items indicated above, would be deemed on petition to be an adequate showing of the date of deposit under 37 CFR 1.10(d)(3).

The reason the PTO considers correspondence to have been filed as of the date of deposit as "Express Mail" is that this date has been verified by a disinterested USPS employee, through the insertion of a "date-in," or other official USPS notation, on the "Express Mail" mailing label. Due to the questionable reliability of evidence from a party other than the USPS that did not come into being contemporaneously with the deposit of the correspondence with the USPS, 37 CFR 1.10(d) specifically requires that any petition under 37 CFR 1.10(d) be corroborated either by evidence from the USPS, or by evidence that came into being after deposit and within one business day after the deposit of the correspondence as "Express Mail."

A petition alleging that the USPS erred in entering the "date-in" will be denied if it is supported only by evidence (other than from the USPS) which was:

- (1) created prior to the deposit of the correspondence as "Express Mail" with the USPS (e.g., an application transmittal cover letter, or a client letter prepared prior to the deposit of the correspondence); or
- (2) created more than one business day after the deposit of the correspondence as "Express Mail" (e.g., an affidavit or declaration prepared more than one business day after the correspondence was deposited with the USPS as "Express Mail").

37 CFR 1.10(d)(3) further provides that a party must show that correspondence was deposited as "Express Mail" before the last scheduled pickup on the requested filing date in order to obtain a filing date as of that date.

- ☐ Evidence from the U.S.P.S. as follows:
- ☒ Express Mail Log that Came into being within one business day of the deposit of the correspondence in the "Express Mail Post Office to Addressee" service of the U.S.P.S.
- ☒ Other: Declaration of Peter F. Corless with Attachments
Declaration of Deanna M. Rivernider with Attachment

6. The petition fee (37 C.F.R. § 1.17(h)) is paid as follows:

- ☒ Enclosed please find a check payable to the "Commissioner of Patents" for the sum of \$130.00
- ☐ Please charge Account No. _____ the sum of \$130.00

A duplicate of this petition is enclosed.

- ☒ Please charge Account No. 04-1105 for any fee deficiency or credit this account for any overpayment for this petition.

Reg. No.: 33,860

Tel. No.: (617) 523-3400

Customer No.:



SIGNATURE OF PRACTITIONER

Peter F. Corless

(type or print name of practitioner)
EDWARDS & ANGELL, LLP

Dike, Bronstein, Roberts & Cushman, IP Group

P.O. Address

P.O. Box 9169

Boston, MA 02209

(Petition to Accord Correspondence Filing Date For "Date-in" Incorrectly Entered or Omitted on Express Mail Label-[8-14]-page 3 of 3)

RECEIVED

MAY 25 2001

OFFICE OF PETITIONS

EDWARDS & ANGELL, LLP

COUNSELLORS AT LAW

since 1894

DIKE, BRONSTEIN, ROBERTS & CUSHMAN
Intellectual Property Practice Group

130 WATER STREET
BOSTON, MA 02109-4280
TELEPHONE (617) 523-3400
FAX (617) 523-6440
www.dbrcc.com

MARLBOROUGH, MA OFFICE
TELEPHONE (508) 485-7772
WASHINGTON, DC OFFICE
TELEPHONE (703) 553-2563

e-mail: pcorless@ealaw.com
cell: 617 650 0256

April 2, 2001

ADVANCE COPY VIA FACSIMILE
CONFIRMATION BY AIRMAIL

Dr. Hans-Jörg Banzer
Kraus & Weisert
Thomas-Wimmer-Ring 15
D-80539 Munchen
GERMANY

Re: New Patent Application in the United States
Entitled: "Method and Device for Exposure-Dependent Noise Correction
in Image Sensors Which Can be Addressed in Lines and Columns"
In the name of: Infineon Technologies AG
Your Reference: 11249/el; Our Reference: 55618

Dear Dr. Banzer:

In connection with the above-referenced application and in accordance with your instructions, we enclose herewith a copy of the Transmittal Letter to the United States Elected Office for Entry into U.S. National Phase Under Chapter II, Preliminary Amendment, Information Disclosure Statement and Form PTO-1449 as prepared and filed with the U.S. Patent and Trademark Office on March 30, 2001. We ask that you please have the inventors sign and date the Declaration and Power of Attorney and Assignment forms that were forwarded to you with our letter dated February 9, 2001 and return them to our office as soon as possible so that we may promptly forward them to the U.S. Patent Office to complete filing requirements.

We also kindly enclose our invoice, in triplicate, for services and disbursements incurred in connection with the filing of this application and preparation of the Preliminary Amendment and Information Disclosure Statement.

Thank you for entrusting our firm to assist you in obtaining patent protection for this matter in the United States. Please contact our office if you should have any questions or if we can be of any other assistance at this time.

Best regards,


Peter R. Corless

PFC/dml

Enclosures (w/confirmation copy only)

RECEIVED

MAY 25 2001

OFFICE OF PETITIONS

Practitioner's Docket No. 55618

CHAPTER II

**TRANSMITTAL LETTER
TO THE UNITED STATES ELECTED OFFICE (EO/US)
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)**

<u>PCT/DE99/02938</u>	<u>15 September 1999</u>	<u>30 September 1998</u>
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED

CIRCUIT FOR TRANSFORMING AN IMAGE RATE

TITLE OF INVENTION

Günter SCHEFFLER and Markus SCHU

APPLICANTS

**Box PCT
Assistant Commissioner for Patents
Washington D.C. 20231
ATTENTION: EO/US**

NOTE: To avoid abandonment of the application, the applicant shall furnish to the USPTO, not later than 20 months from the priority date: (1) a copy of the international application, unless it has been previously communicated by the International Bureau or unless it was originally filed in the USPTO; and (2) the basic national fee (see 37 C.F.R. § 1.492(a)). The 30-month time limit may not be extended. 37 C.F.R. § 1.495.

WARNING: Where the items are those which can be submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. § 1.10 must be used (since international application papers are not covered by an ordinary certificate of mailing - See 37 C.F.R. § 1.8.

NOTE: Documents and fees must be clearly identified as a submission to enter the national state under 35 USC 371 otherwise the submission will be considered as being made under 35 USC 111. 37 C.F.R. § 1.494(f).

CERTIFICATION UNDER 37 C.F.R. § 1.10*

(Express Mail label number is **mandatory**.)

(Express Mail certification is optional.)

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date March 30, 2001 in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL835032473US, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Deanna M. Rivernider

(type or print name of person mailing paper)

Deanna M. Rivernider
Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:

- a. ☒ This express request to immediately begin national examination procedures (35 U.S.C. 371(f)).
- b. ☒ The U.S. National Fee (35 U.S.C. 371(c)(1)) and other fees (37 C.F.R. § 1.492) as indicated below:

2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
<input checked="" type="checkbox"/> *	TOTAL CLAIMS	- 20 =	0	x \$ 18.00 =	\$0
	INDEPENDENT CLAIMS	- 3 =	0	x \$ 80.00 =	\$0
	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00				\$
BASIC FEE**	<input type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where an International preliminary examination fee as set forth in § 1.482 has been paid on the international application to the U.S. PTO: <input type="checkbox"/> and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(2) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 CFR 1.492(a)(4)) \$96.00 <input type="checkbox"/> and the above requirements are not met (37 CFR 1.492(a)(1)) \$670.00 <input checked="" type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY Where no international preliminary examination fee as set forth in § 1.482 has been paid to the USPTO, and payment of an international search fee as set forth in § 1.445(a)(2) to the U.S. PTO: <input type="checkbox"/> has been paid (37 CFR 1.492(a)(2)) \$760.00 <input type="checkbox"/> has not been paid (37 CFR 1.492(a)(3)) \$970.00 <input checked="" type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 CFR 1.492(a)(5))..... \$860.00				
	Total of above Calculations				= \$860.00
SMALL ENTITY	Reduction by ½ for filing by small entity, if applicable. Affidavit must be filed. (note 37 CFR 1.9, 1.27, 1.28)				- \$
	Subtotal				\$860.00
	Total National Fee				\$860.00
	Fee for recording the enclosed assignment document \$40.00 (37 CFR 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				\$
TOTAL	Total Fees enclosed				\$860.00

*See attached Preliminary Amendment Reducing the Number of Claims.

- i. ☒ A check in the amount of \$860.00 to cover the above fees is enclosed
- ii. ☐ Please charge Account No. _____ in the amount of \$ _____.

A duplicate copy of this sheet is enclosed.

****WARNING:** "To avoid abandonment of the application the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 30 months from the priority date: * * * (2) the basic national fee (see § 1.492(a)). The 30-month time limit may not be extended." 37 C.F.R. § 1.495(b).

WARNING: If the translation of the international application and/or the oath or declaration have not been submitted by the applicant within thirty (30) months from the priority date, such requirements may be met within a time period set by the Office. 37 C.F.R. § 1.495(b)(2). The payment of the surcharge set forth in § 1.492(e) is required as a condition for accepting the oath or declaration later than thirty (30) months after the priority date. The payment of the processing fee set forth in § 1.492(f) is required for acceptance of an English translation later than thirty (30) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of § 1.136 apply to the period which is set. Notice of Jan. 3, 1993, 1147 O.G. 29 to 40.

3. ☒ A copy of the International application as filed (35 U.S.C. 371(c)(2)):

NOTE: Section 1.495 (b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 30 months from the priority date to avoid abandonment "The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage, the applicant normally need only check to be sure the notice from the International Bureau has been received and then pay the basic national fee by 30 months from the priority date." Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35-36. See item 14c below.

- a. ☐ is transmitted herewith.
b. ☐ is not required, as the application was filed with the United States Receiving Office.
c. ☒ has been transmitted
i. ☒ by the International Bureau.
Date of mailing of the application (from form PCT/IB/308): _____
ii. ☐ by applicant on _____
Date

4. ☒ A translation of the International application into the English language (35 U.S.C. 371(c)(2)):

- a. ☒ is transmitted herewith.
b. ☐ is not required as the application was filed in English.
c. ☐ was previously transmitted by applicant on _____
Date
d. ☐ will follow.

5. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. 371(c)(3)):

NOTE: The Notice of January 7, 1993 points out that 37 C.F.R. § 1.495(a) was amended to clarify the existing and continuing practice that PCT Article 19 amendments must be submitted by 30 months from the priority date and this deadline may not be extended. The Notice further advises that: "The failure to do so will not result in loss of the subject matter of the PCT Article 19 amendments. Applicant may submit that subject matter in a preliminary amendment filed under section 1.121. In many cases, filing an amendment under section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 36.

- a. ☐ are transmitted herewith.
b. ☐ have been transmitted

- i. ☐ by the International Bureau.
Date of mailing of the amendment (from form PCT/IB/308): _____
 - ii. ☐ by applicant on _____
Date
 - c. ☒ have not been transmitted as
 - i. ☒ applicant chose not to make amendments under PCT Article 19.
Date of mailing of Search Report (from form PCT/ISA/210): **16/03/00**
 - ii. ☐ the time limit for the submission of amendments has not yet expired.
The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.
6. ☒ A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. 371(c)(3)):
- a. ☐ is transmitted herewith.
 - b. ☐ is not required as the amendments were made in the English language.
 - c. ☒ has not been transmitted for reasons indicated at point 5(c) above.
7. ☒ A copy of the international examination report (PCT/IPEA/409)
☒ is transmitted herewith.
☐ is not required as the application was filed with the United States Receiving Office.
8. ☐ Annex(es) to the international preliminary examination report
- a. ☐ is/are transmitted herewith.
 - b. ☐ is/are not required as the application was filed with the United States Receiving Office.
9. ☐ A translation of the annexes to the international preliminary examination report
- a. ☐ is transmitted herewith.
 - b. ☐ is not required as the annexes are in the English language.
10. ☒ An oath or declaration of the inventor (35 U.S.C. 371(c)(4)) complying with 35 U.S.C. 115
- a. ☐ was previously submitted by applicant on _____
Date
 - b. ☐ is submitted herewith, and such oath or declaration
 - i. ☐ is attached to the application.
 - ii. ☐ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. 1.70.
 - iii. ☒ will follow.

II. Other document(s) or information included:

11. ☒ An International Search Report (PCT/ISA/210) or Declaration under PCT Article 17(2)(a):
- a. ☒ is transmitted herewith.
 - b. ☐ has been transmitted by the International Bureau.
Date of mailing (from form PCT/IB/308): _____

- c. ☐ is not required, as the application was searched by the United States International Searching Authority.
d. ☐ will be transmitted promptly upon request.
e. ☐ has been submitted by applicant on _____
Date

12. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98:
a. ☒ is transmitted herewith.
Also transmitted herewith is/are:
☒ Form PTO-1449 (PTO/SB/08A and 08B).
☒ Copies of citations listed.
b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. 371(c).
c. ☐ was previously submitted by applicant on _____
Date

13. ☐ An assignment document is transmitted herewith for recording.

A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.

14. ☒ Additional documents:
a. ☒ Copy of request (PCT/RO/101)
b. ☒ International Publication No. WO 00/19713
i. ☒ Specification, claims and drawing
ii. ☐ Front page only
c. ☐ Preliminary amendment (37 C.F.R. § 1.121)
d. ☒ Other.

Preliminary Amendment, Forms PCT/IB/304, PCT/IB/306, PCT/ISA/210, PCT/IPEA/409.

15. ☒ The above checked items are being transmitted
a. ☒ before 30 months from any claimed priority date.
b. ☐ after 30 months.
16. ☐ Certain requirements under 35 U.S.C. 371 were previously submitted by the applicant on _____, namely:

AUTHORIZATION TO CHARGE ADDITIONAL FEES

WARNING: *Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.*

NOTE: *"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in § 1.17(a) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).*

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. **04-1105**.

☒ 37 C.F.R. 1.492(a)(1), (2), (3), and (4) (filing fees)

WARNING: Because failure to pay the national fee within 30 months without extension (37 C.F.R. § 1.495(b)(2)) results in abandonment of the application, it would be best to always check the above box.

☒ 37 C.F.R. 1.492(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. § 1.492(d)), it might be best not to authorize the PTO to charge additional claim fees, except possible when dealing with amendments after final action.

☒ 37 C.F.R. 1.17 (application processing fees)

☒ 37 C.F.R. 1.17(a)(1)-(5)(extension fees pursuant to § 1.136(a).

☐ 37 C.F.R. 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. § 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☐ 37 C.F.R. § 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).


SIGNATURE OF PRACTITIONER

Peter F. Corless

(type or print name of practitioner)

EDWARDS & ANGELL, LLP

Dike, Bronstein, Roberts & Cushman, IP Group

130 Water Street

P.O. Address

Boston, MA 02109

Reg. No.: 33,860

Tel. No.: (617) 523-3400

Customer No.:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Scheffler et al.

U.S.S.N.: Not Yet Assigned

Art Unit: Not Yet Assigned

FILED: Herewith

Examiner: Not Yet Assigned

FOR: CIRCUIT FOR TRANSFORMING AN IMAGE RATE

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.

III. CONCISE EXPLANATION OF THE RELEVANCE

All of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).

FEEs

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

- a. ☒ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$240.00 as required by 37 C.F.R. § 1.17(p).

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,



Peter F. Corless (Reg. No. 33,860)
EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman, IP Group
130 Water Street
Boston, MA 02109
(617) 523-3400

TRANSACTION REPORT

P. 01

APR-02-2001 MON 05:46 AM

DATE	START	RECEIVER	TX TIME(L)	PAGES	TYPE	NOTE	M#	DP
APR-02	05:45 AM	011498929060111	1'04"	(1)	3 SEND	OK	925	

TOTAL : 1M 4S PAGES: 3

EDWARDS & ANGELL, LLP

COUNSELLORS AT LAW

Since 1894

DIKE, BRONSTEIN, ROBERTS & CUSHMAN
Intellectual Property Practice Group

130 WATER STREET
BOSTON, MA 02109-4280
TELEPHONE (617) 523-3400
FAX (617) 523-6440
www.dibc.com

MARLBOROUGH, MA OFFICE
TELEPHONE (508) 485-7772
WASHINGTON, DC OFFICE
TELEPHONE (703) 553-2563

FACSIMILE TRANSMITTAL COVER SHEET

DATE: April 2, 2001

SEND TO: Dr. Hans-Jörg Banzer

LOCATION: Kraus & Weisert

FAX NO.: 011 49 89 290 60 111

FROM: Peter F. Corless

TEL. NO.: (617) 523-3400

FAX NO.: (617) 523-6440

OFFICE OF PETITIONS

11000 133711 100 115000 101 93955 7662911

RECEIVED

MAY 25 2001

Docket No. 55618

OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: G. SCHEFFLER et al.

EXPRESS MAIL LABEL NO.: EL 835032467US

FILED: Herewith

FOR: CIRCUIT FOR TRANSFORMING RATE

THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, DC 20231

SIR:

PRELIMINARY AMENDMENT

Applicants file herewith the above-identified application. Please amend the application as follows.

IN THE CLAIMS

Please cancel claims 1-7 without prejudice.

Please add the following new claims.

8. Circuit for frame rate (field repetition frequency) conversion in a video signal reproduction device using a motion-adaptive method, having a motion detector for producing motion values of pixels by means of which a device for switching a field sequence with the frame rate being doubled can be actuated,

wherein the motion detector comprises a first device for producing pixel motion signals, which have a first state for each pixel which is found to have moved and a second state for each pixel which is found to have been stationary, and a second device by means of which the pixel motion signals are corrected in order to produce motion values in such a manner that a state which differs from matching states of adjacent pixels is ignored.

9. Circuit according to Claim 8, wherein in order to determine the first or second state, the first device has units for producing controlled characteristics for assessment of field differences as a function of line differences, with the motion sensitivity being increased if the line difference are small, and the motion sensitivity being reduced if the line differences are large.

10. Circuit according to Claim 9 wherein the first device has circuit units for forming line and field differences, with the field difference being assessed by the units for producing line differences are applied and being mapped onto 1-bit signals, and these 1-bit signals being logically combined by an OR gate in order to produce the pixel motion signals.

11. Circuit according to claim 10 wherein the third, fourth and the fifth circuit unit are used to produce three field differences from a first, a second and a third field, and in that the units for producing controlled characteristics are controlled using the maximum of the line difference signals from the first and second field.

12. Circuit according to 8 wherein the second device comprises a correction unit for processing the motion signals of each pixel in such a manner that the first state is corrected to the second state if the motion signals of all the adjacent pixels are in the second state, with a previously corrected state being used for the processing of a subsequent pixel.

13. Circuit according to claim 8 wherein the second device comprises a correction unit for processing all the motion signals in a line in such a manner that the first state is changed to the second state if the motion signals in one and two lines above and in one line underneath are in the second state.

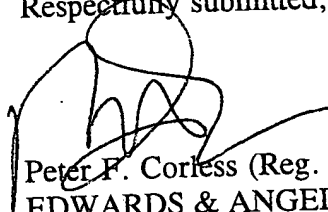
14. Circuit according to claim 13 wherein the second device comprises further correction units by means of which moving picture areas are homogenized by insertion of motion signals which are in the first state.

REMARKS

Claims 1-7 have been cancelled without prejudice, and claims 8-14 have been added. No new matter has been added by virtue of the amendments. Support for the new claims appears e.g. in the original claims. The claims have been added to better comply with U.S. style.

Early consideration and allowance of the application are earnestly solicited.

Respectfully submitted,



Peter F. Corless (Reg. 33,860)
EDWARDS & ANGELL, LLP
Dike, Bronstein, Roberts & Cushman IP Group
130 Water Street
Boston, MA 02109
Telephone: (617) 523-3400

Description

Circuit for frame rate conversion

5 The invention relates to a circuit for frame rate
(field repetition frequency) conversion in a video
signal reproduction device using a motion-adaptive
method, having a motion detector for producing motion
values of pixels by means of which a device for
10 switching the field sequence with the frame rate being
doubled can be actuated.

Circuits of this type are generally used for doubling
the field repetition frequency of 50 or 60 Hz in
15 television sets in order in this way to reduce the
large-area flickering and to produce a picture which is
smoother overall.

For frame rate conversion, a distinction is drawn
20 between static methods on the one hand and motion-
adaptive and/or motion-compensating methods on the
other hand.

In a static method, the two fields A and B are
25 duplicated and, as shown in Figure 7, are reproduced
either successively (AABB, Figure 7a) or interleaved
(ABAB, Figure 7b). AABB reproduction has the
disadvantage that, although very good motion
representation is feasible, edge flickering cannot be
30 reduced in this way, however. In comparison to this, it
is possible using the ABAB-raster sequence, which in
practice means duplication of the frame, to reduce edge
flickering in stationary pictures. However, this type
of reproduction will not cope with moving pictures.

35 Furthermore, static methods as shown in Figure 8 are
known which operate with an AA*B*B raster sequence,
with the A* and B* fields being calculated using linear
or nonlinear methods. For example, the use of median

filters is known for this purpose, using which the fields $(A^*)^n$ and $(B^*)^n$ are produced by interpolation of the fields A^n and B^n , and B^n and A^{n+1} , respectively.

5 Motion-adaptive and motion-compensating methods differ from static methods by using a motion detector and/or a motion estimator block. The appropriate field interleaving is illustrated in principle in Figure 9. The motion detector block produces only information
10 about the presence of motion in the picture, while the motion estimator block also determines information about the magnitude and direction of the motion. This information can be used in various ways to improve the frame rate conversion. For example, it is possible to
15 switch between the two static methods mentioned above on a pixel or frame basis, depending on this information.

However, a disadvantage of all these methods is the
20 fact that they are highly complex, particularly if motion-dependent switching between the various raster or field sequences and interpolation are intended to be carried out.

25 The invention is therefore based on the object of providing a circuit of the type mentioned initially using which considerably better picture quality, particularly for moving pictures, can be achieved in a relatively simple manner.

30

According to Claim 1, this object is achieved by a circuit of the type mentioned initially in which the motion detector comprises a first device for producing pixel motion signals, which have a first state for each
35 pixel which is found to have moved and a second state for each pixel which is found to have been stationary, and has a second device by means of which the pixel motion signals are corrected in order to produce motion

values in such a manner that a state which differs from matching states of adjacent pixels is ignored.

Particular advantages of this solution are that there
5 is no need for any feedback of the motion values
calculated for a previous frame. Furthermore, there is
no need for the multiplier which is generally required
for the combination of methods with different field
sequences, since a simple changeover switch can be
10 actuated by the motion values produced according to the
invention. Furthermore, the correction of the pixel
motion signals according to the invention results in
the production of motion values using which even rapid
motion of small objects can be detected and taken into
15 account.

The contents of the dependent claims cover advantageous developments of the invention.

20 According to these dependent claims, in order to
determine the first or second state, the first device
preferably has units for producing controlled
characteristics for assessment of field differences as
a function of line differences, with the motion
25 sensitivity being increased if the line differences are
small, and the motion sensitivity being reduced if the
line differences are large.

Furthermore, the first device preferably has circuit
30 units for forming line and field differences, with the
field differences being assessed by the units for
producing controlled characteristics to each of which
the line differences are applied and being mapped onto
1-bit signals, and these 1-bit signals being logically
35 combined by means of an OR gate in order to produce the
pixel motion signals.

The production of a 1-bit control signal makes it possible to switch in a simple manner between two different field sequences for each pixel.

- 5 Furthermore, the second device preferably comprises a first circuit unit for processing the motion signals of each pixel in such a manner that the first state is changed to the second state if the motion signals of all the adjacent pixels are in the second state, with a
10 previously corrected state being used for the processing of a subsequent pixel.

This results in two-dimensional correction of the pixel motion signals using plausibility criteria, and
15 homogenization of picture areas by erasing and filling motion values, and this leads to a further improvement in the picture quality.

Further details, features and advantages of the
20 invention result from the following description of a preferred embodiment with reference to the drawing, in which:

Figure 1 shows a block diagram of a circuit according
25 to the invention;

Figure 2 shows a block diagram of a first device in the circuit according to the invention;

30 Figure 3 shows a block diagram of components of the first device;

Figure 4 shows a block diagram of further components of the first device;

35

Figure 5 shows a block diagram of a second device in the circuit according to the invention;

Figures 6a to 6g show pixel corrections to illustrate the production of motion values according to the invention;

5 Figures 7a, b show various known raster sequences, using which fields are displayed by means of a static method in order to double the frame rate;

10 Figure 8 shows production and display of interpolated fields using a static method; and

Figure 9 shows production and display of fields using a motion-adaptive and/or motion-compensating method.
15

The invention is based on the knowledge that particularly good picture quality can be achieved if a motion detector provides pixel information about the motion state of a pixel, and this information is used for switching between two different methods, which are each optimized for the motion state. This is particularly appropriate if the stationary picture parts are displayed using a raster sequence (field
20 sequence) ABAB, and the moving picture parts are displayed using the raster sequence AA*B*B, as in the explanation in the introduction. Corresponding pixel-dependent switching allows the advantages of both reproduction types to be combined.

30

Figure 1 shows a block diagram of a circuit according to the invention. The circuit comprises a first field memory 1, a second field memory 2 connected in series with it, and a motion detector 3. The motion detector
35 comprises a first device 31 for producing pixel motion signals, and a second device 32 for producing motion values from them.

The field signals which are applied to the input of the circuit are buffer-stored in the first and the second field memories 31, 32 and are supplied as a first, a second and a third field A, B, C, which follow one another, to the first device 31 in the motion detector 3.

The first device 31 is used to carry out filtering and to form various difference values which are calculated and combined with one another pixel-by-pixel. This results in pixel motion signals which, for each pixel indicate by a first state whether the corresponding pixel should be regarded as moving, and denote by a second state a pixel which should be classified as stationary.

The second device 32 is used to carry out subsequent processing of the states of the pixel motion signals. The aim of this subsequent processing is to homogenize the moving and stationary picture areas. For this purpose, individual small areas in which the pixel motion signals are in the first state and which lie within a relatively large area in which the pixel motion signals are in the second state are eliminated, or are likewise changed to the second state.

Conversely, individual pixels which have been assigned to the second state and which are located within an area with pixels in the first state are assigned to the first state. This results in homogeneous areas which are identified as being moving and correspond to moving picture parts.

This subsequent processing has the particular advantage that a downstream 100 Hz converter (changeover switch) operates in a stable manner in the sense that it does not switch continuously between the two raster methods explained initially with reference to Figures 7a and 7b, which would lead to very disturbing artifacts.

Figure 2 shows a corresponding block diagram of the first device 31. The first device 31 comprises a first circuit unit 311 to which the first field A is applied, and a second circuit unit 312 to which the second field B is supplied. The two circuit units 311, 312 are each used to form line differences. The unit 320 forms the maximum from the two time differences. Furthermore, a third, a fourth and a fifth circuit unit 313, 314 and 315 are provided, and these are each used to produce frame differences. The first and the second field A, B are applied to the third circuit unit 313. The fourth circuit unit 314 is supplied with the first and the third fields A, C, while the second and the third fields B, C are applied to the fifth circuit unit 315.

The outputs of the third, fourth and fifth circuit units are connected respectively to a first, a second and a third unit 316, 317, 318 in order to produce controlled characteristics. The outputs of these "characteristic controllers" are logically combined using an OR gate 319. The output from the unit 320 is applied to all the characteristic controllers.

The characteristic controllers map the frame differences A-B, A-C and B-C which are produced onto 1-bit signals in order to produce the pixel motion signals. This is done by assessing the frame differences as a function of the line differences from the fields A and B. In this case, the sensitivity is increased if the line differences are small, and the sensitivity is reduced if the line differences are large. The characteristics may expediently be in the form of look-up tables. The maximum of the time differences between the fields A and B controls all the frame differences.

Evaluation of the three different frame differences has therefore been found to be highly advantageous since

this allows even small objects which are moving very fast to be detected.

The first and second circuit units 311 and 312, respectively, for forming line differences are shown in detail in Figure 3. Each of these two circuit units comprises in each case one first line memory 3110 which is connected to the input and to whose output a second line memory 3111 is connected. Furthermore, a first subtractor 3112 is provided, which is connected to the input of the circuit unit and to the output of the first line memory 3110. A second subtractor 3113 is connected to the output of the first line memory 3110 and to the output of the second line memory 3111. The output of the first subtractor 3112 is connected to a first unit 3114 for magnitude formation, while the output of the second subtractor 3113 is connected to a second unit 3115 for magnitude formation. The outputs of the first and second units for magnitude formation are jointly connected to a unit 3116 for maximum-value determination, whose output signal is supplied via a first attenuator 3117 and a first low-pass filter 3118 following it, to the characteristic controller 316, to which threshold values are applied.

Figure 4 shows, in detail, the construction of the circuit units 313, 314, 315 for producing frame differences. These have a first and a second vertical filter 3130, 3131, whose outputs are connected to a third subtractor 3132. The output of the third subtractor 3132 is connected to the input of a second low-pass filter 3133. Its output signal is supplied to a limiter 3136, via a third unit 3134 for magnitude formation and via a second attenuator 3135 following it.

Fields in a different raster position are in each case processed in the first and third circuit units 313, 315. This takes account of the fact that the vertical

filters 3130, 3131 shift the raster position so that, after this, the two fields are in the same raster position. In contrast, fields in the same raster position are processed in the second circuit unit 314.

5 In this case, only low-pass filtering is carried out in the vertical direction. The raster position in this case remains unchanged.

The second device 32, using which the pixel motion signals for producing motion values are corrected or subsequently processed, is shown in detail in Figure 5 and will be explained with reference to Figures 6a to 6h. This subsequent processing is carried out in a number of steps.

15 A first correction unit 321 carries out first deletion (horizontal processing) of individual pixel motion signals which are in the first state (moving) in a surrounding area of pixel motion signals which are in the second state (stationary). Specifically, in this

20 case, there is a high probability that this represents incorrect classification by the first device 31, since moving objects generally have a larger extent. In order to correct this state, a mask is placed over the entire picture and a decision is made for each pixel motion

25 signal as to whether it will or will not be deleted. The mask is shown schematically in Figure 6a:

The present pixel motion signal A with the first state

30 is deleted or changed to the second state if all the surrounding signals a, b and c indicate the second state. The corrected signal A becomes the point b on correction of the subsequent signal, that is after shifting the mask one pixel to the right. The corrected

35 value at the point A is likewise used as a for correction of the signal which is located exactly under the signal A. This means that, once the values have been calculated, they are used recursively once again as input values for the subsequent corrections. This

means that the deletion algorithm operates very effectively.

5 A second correction unit 322 is used for deleting lines (vertical processing). In this case, a subsequent block in each case deletes individual horizontally running lines. The correction is once again carried out for each pixel. The mask which is used is shown in Figure 6b:

10

The pixel motion signal A of the present pixel is changed to the second state if the signals in one and two lines above and one line below are in the second state. Non-recursive processing is used in this case.

15

A third correction unit 323 then carries out initial insertion of pixel motion signals (horizontal processing), with the corresponding mask being shown in Figure 6c:

20

After the first two steps, there are still individual set pixel motions signals with an extent of two pixels in the horizontal direction. These will be deleted later by a fourth correction unit 324. However, within
25 moving objects, there are also groups of two which, of course, must not be deleted. Since the corresponding pixels are located within relatively large moving objects, there are always a number of pixel motion signals in the first state in their immediate vicinity.
30 The deletion process can therefore be prevented by filling the gaps between them with pixel motion signals in the first state. This is done by the third correction unit 323 by considering the horizontally adjacent pixel motion signals a, b, c and d. If one of
35 the signals a or A is set, and one of the signals b, c, d is set at the same time as well, then the present pixel motion signal is changed to the first state. This algorithm operates recursively, that is to say the

result of the correction is used as point a for the next correction.

5 The fourth correction unit 324 carries out a second deletion of pixel motion signals (horizontal processing). This process is illustrated in Figure 6d. The present pixel motion signal A is assigned to the second state if none of the surrounding pixel signals a, b, c, d is in the first state. This algorithm also
10 operates recursively.

A fifth correction unit 325 expands the pixel motion signals (horizontal processing). This is illustrated in Figure 6e. This step results in an area of pixel motion
15 signals which are in the first state in each case being enlarged by one pixel at the right and left-hand edges in the horizontal direction. A simple OR logic operation on the three motion signals a, A and b can be used for this purpose. Processing in this case is not
20 recursive.

Then, according to Figure 6f, a sixth correction unit 326 carries out line expansion (vertical processing) with the areas which are in the first state being
25 enlarged by one line in the vertical direction.

A seventh and an eighth correction unit 327 and 328 now homogenize the moving areas by inserting pixel motion signals in the first state. The previous steps have
30 resulted in undesired motion signals having been eliminated so that inhomogeneous moving picture areas can now be filled in in a broadbrush manner.

The seventh correction unit 327 carries out a second
35 insertion process for pixel motion signals, and this is shown in Figure 6g. This step operates in the horizontal direction. If the already processed value a or the present value A is set and one of the values b, c, d, e, f, g or h is set at the same time, the present

value is assigned to the first state. Processing is carried out recursively.

5 Finally, the eighth correction unit 328 inserts lines
(vertical processing). This is illustrated in
Figure 6h. The present pixel motion signal A is
assigned to the first state if two values are set in
one of the first two lines and two values are at the
same time set in one of the following four lines.
10 Processing is carried out recursively in this case as
well. The values a, b, c and d are thus already
corrected values.

15 Overall, the pixel motion signals are consequently
corrected such that motion values are produced which
define homogeneous picture areas which are clearly
delineated from one another and are defined either
cohesively as being moving or as being stationary.

Patent Claims

1. Circuit for frame rate (field repetition frequency) conversion in a video signal reproduction device using a motion-adaptive method, having a motion detector for producing motion values of pixels by means of which a device for switching a field sequence with the frame rate being doubled can be actuated, characterized in that
- the motion detector (3) comprises a first device (31) for producing pixel motion signals, which have a first state for each pixel which is found to have moved and a second state for each pixel which is found to have been stationary, and has a second device (32) by means of which the pixel motion signals are corrected in order to produce motion values in such a manner that a state which differs from matching states of adjacent pixels is ignored.
2. Circuit according to Claim 1, characterized in that, in order to determine the first or second state, the first device (31) has units (316, 317, 318) for producing controlled characteristics for assessment of field differences as a function of line differences, with the motion sensitivity being increased if the line differences are small, and the motion sensitivity being reduced if the line differences are large.
3. Circuit according to Claim 2, characterized in that the first device (31) has circuit units (311, 312; 313, 314, 315) for forming line and field differences, with the field differences being assessed by the units (316, 317, 318) for producing controlled characteristics to each of which the line differences are applied and being mapped onto 1-bit signals, and these 1-bit signals being logically combined by means of an OR gate (319) in order to produce the pixel motion signals.

4. Circuit according to Claim 2 or 3,
characterized in that
the third, the fourth and the fifth circuit unit (313,
5 314, 315) are used to produce three field differences
from a first, a second and a third field, and in that
the units (316, 317, 318) for producing controlled
characteristics are controlled using the maximum of the
line difference signals from the first and the second
10 field.

5. Circuit according to one of the preceding claims,
characterized in that
the second device (32) comprises a first correction
15 unit (321) for processing the motion signals of each
pixel in such a manner that the first state is
corrected to the second state if the motion signals of
all the adjacent pixels are in the second state, with a
previously corrected state being used for the
20 processing of a subsequent pixel.

6. Circuit according to one of the preceding claims,
characterized in that
the second device (32) comprises a second correction
25 unit (322) for processing all the motion signals in a
line in such a manner that the first state is changed
to the second state if the motion signals in one and
two lines above and in one line underneath are in the
second state.

30
7. Circuit according to Claim 6,
characterized in that
the second device (32) comprises further correction
units (327, 328) by means of which moving picture areas
35 are homogenized by insertion of motion signals which
are in the first state.

GR 98 P 2861

Abstract

Circuit for frame rate conversion

The circuit is distinguished in that the motion detector (3) comprises a first device (31) for producing pixel motion signals, which have a first state for each pixel which is found to have moved and a second state for each pixel which is found to have been stationary, and has a second device (32) by means of which the pixel motion signals are corrected in order to produce motion values in such a manner that a state which differs from matching states of adjacent pixels is ignored.

FIGURE 1

FIG 1

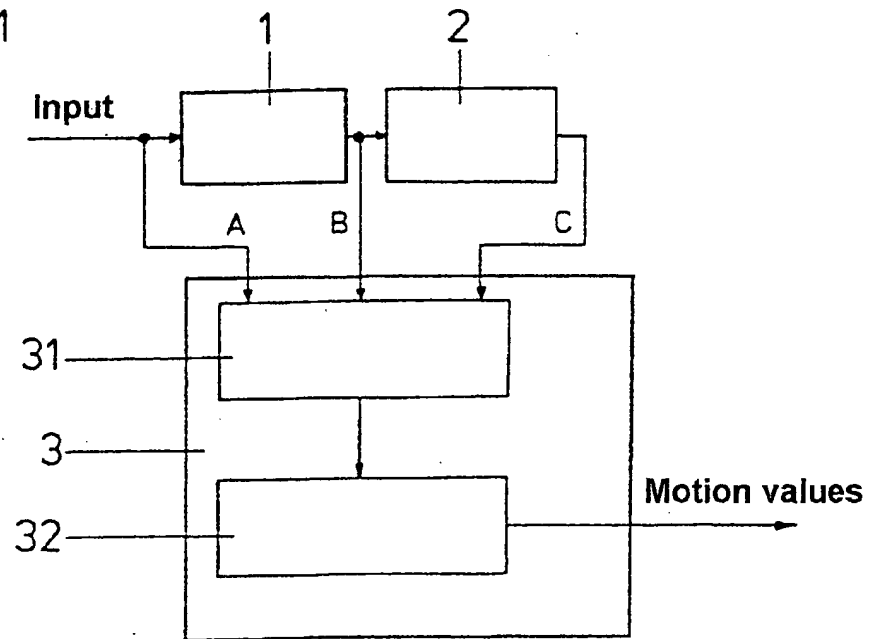


FIG 2

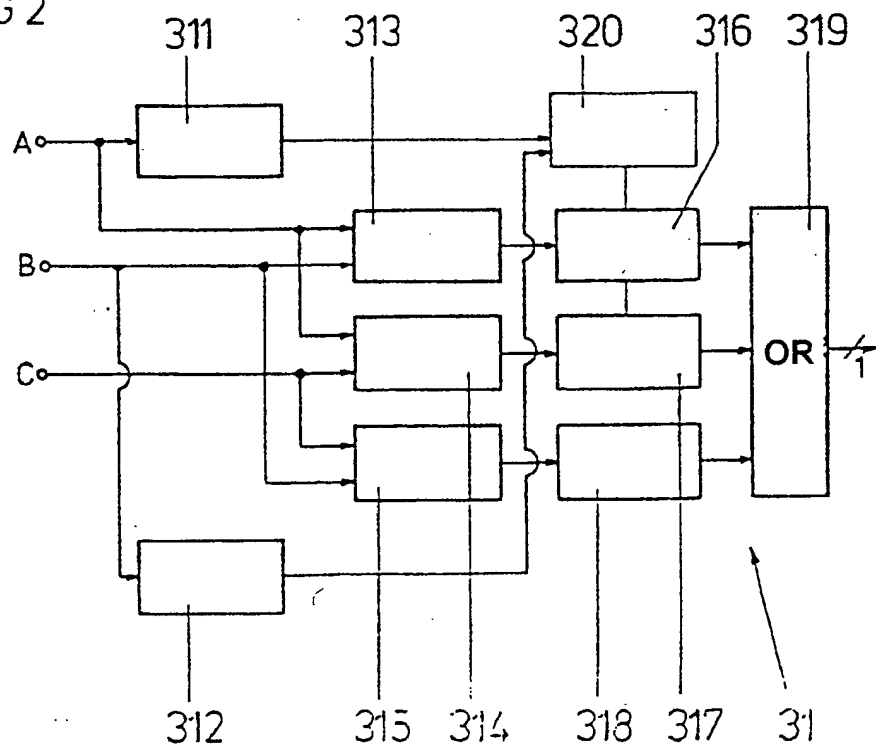


FIG 3

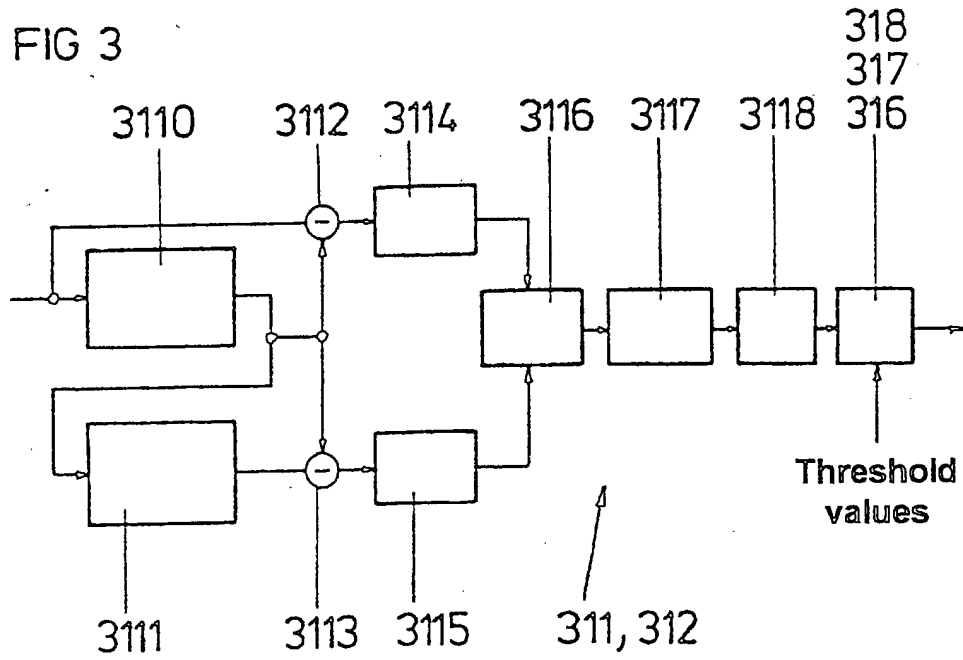


FIG 4

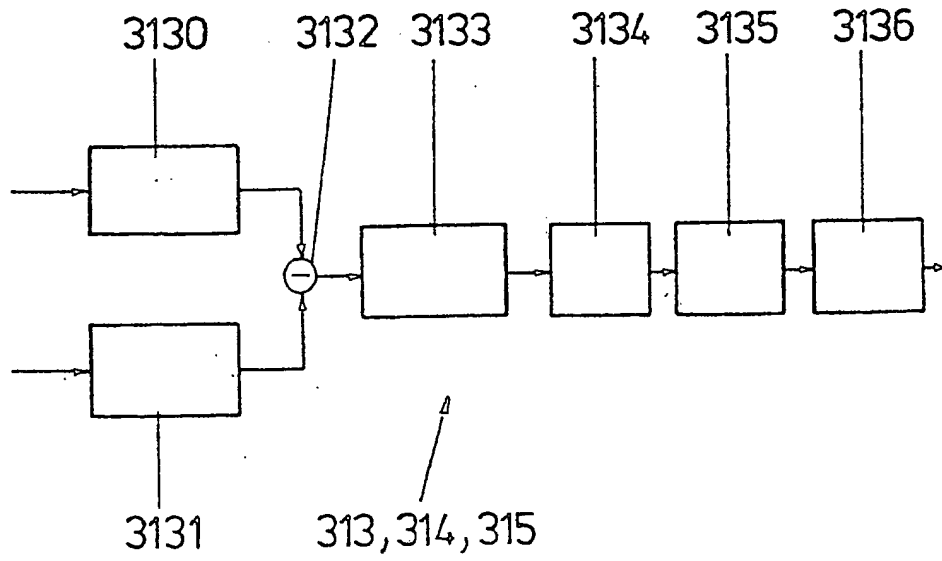


FIG 5

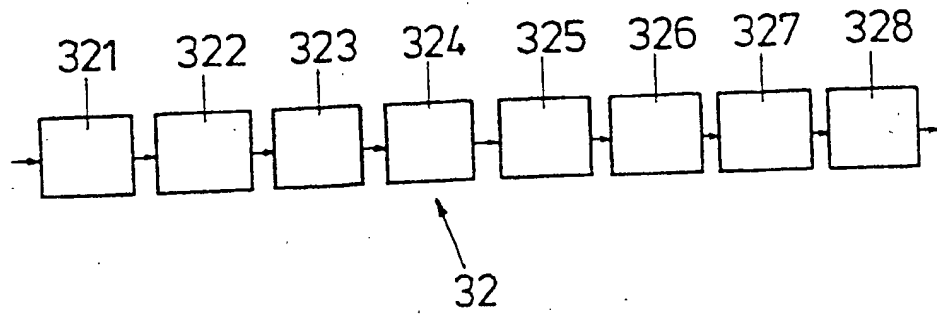


FIG 6a

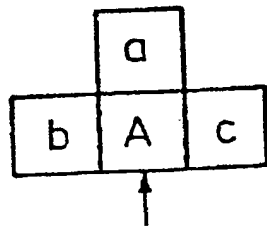


FIG 6c

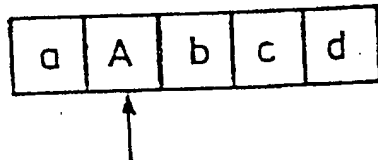


FIG 6b

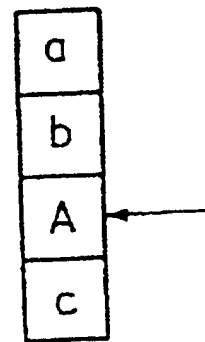


FIG 6d

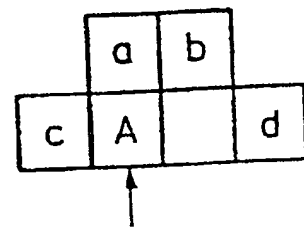


FIG 6e

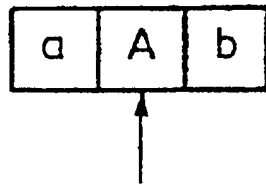


FIG 6f

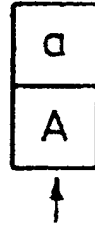


FIG 6g

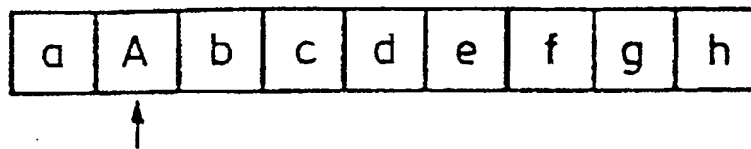


FIG 6h

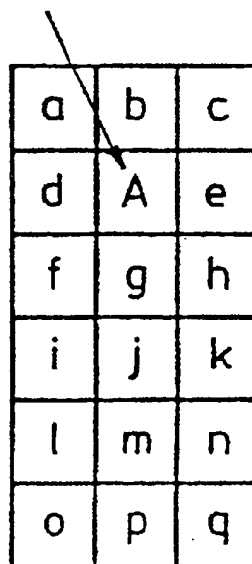


FIG 7a

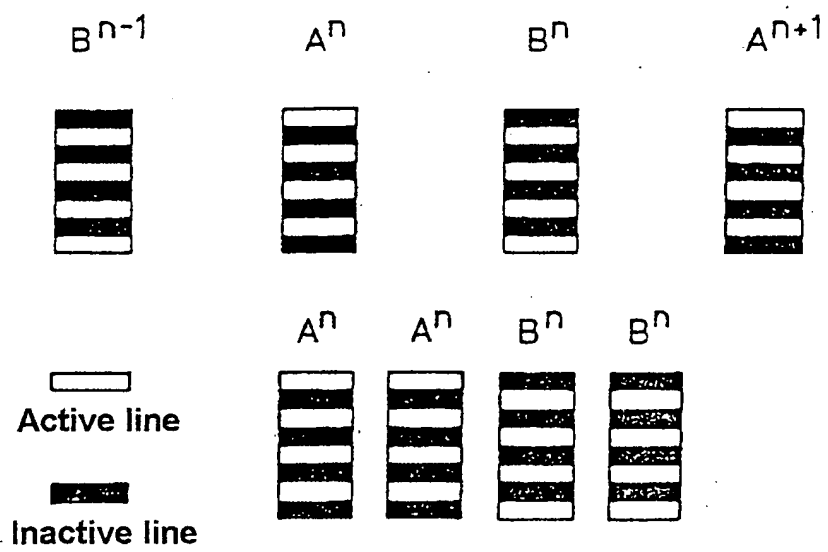


FIG 7b

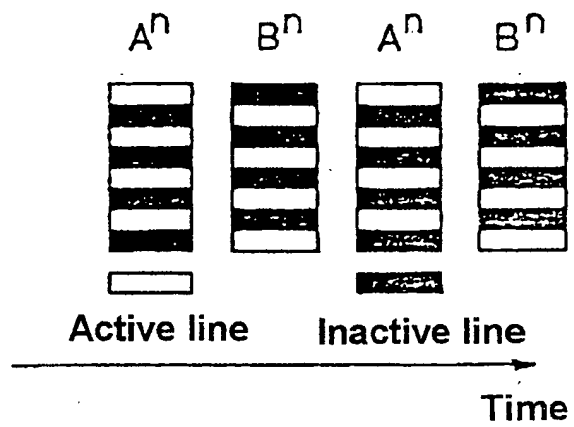


FIG 8

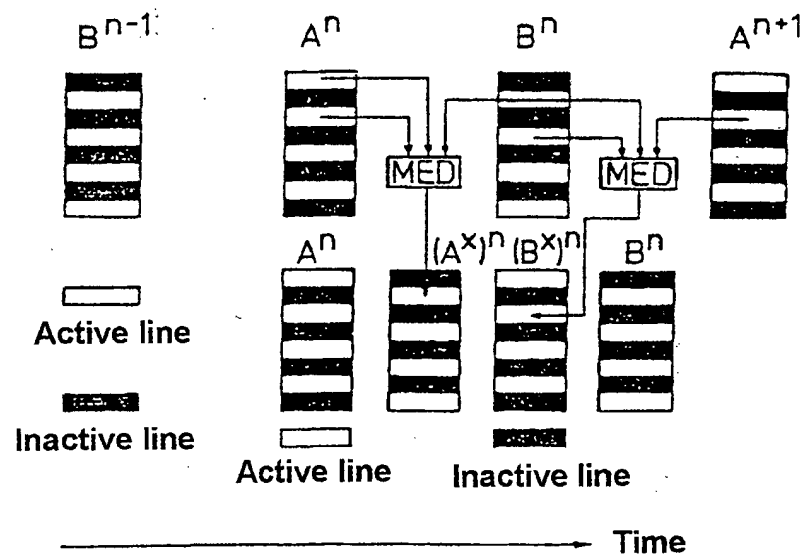


FIG 9

